REMARKS

Claims 1 – 4 are pending in the Application. In the Office Action mailed on October 7, 2002, the Examiner rejected Claims 1 - 4 under 35 U.S.C. §102 as being anticipated by Henriksson (U.S. Patent No. 5,128,965). The Applicants respectfully traverse the Examiner's rejection.

The Examiner states that Henrikkson teaches a method for controlling transmission energy associated with generating and processing a signal indicative of a characteristic of a propagation path between a communication station and a second communication station. The Examiner further states that this method comprises transmitting the signal indicative of the characteristic to the communication station along with power adjustments requests from the second communication station, receiving the signal and power adjustment requests at the communication station, setting a transmission power level at the communication station in accordance with the received signal for a predetermined time period, and modifying the adjusted transmission power level in accordance with a step size.

The Applicants respectfully submit that the subject matter of Claims 1 – 4 are not anticipated by Henrikkson. In particular, the "closed loop power control commands" sent by the second communication station in the instant claims are not the same as the multiplexed control signal sent in the system taught by Henrikkson. The control signal sent by Henrikkson is a multiplexed signal comprising information as to the presence of a multi-path condition, signal strength, and frame errors (S_{mp}, S_{min} and S_{err}, respectively) which are then used by the transmission power adjustment block to decide adjustments to the transmission energy. Hence, the multiplexed signal of Henrikkson is a signal carrying the path characteristics. The communication station that receives this multiplexed signal then sets the power adjustment based upon the path characteristics. In contrast, the instant claims are directed towards using the path characteristic AND the explicit closed loop power control commands (or power adjustment requests). The closed loop power control commands of the instant Application are for *direct and explicit* "up" and "down" power adjustments of the communication station. Henrikkson does not teach closed loop power control commands of this nature. Hence, the Applicants respectfully submit that Henrikkson does not anticipate the instant claims.

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Claims 1, 2, and 3 have been amended to correct minor typographical errors ("communications" has been replaced by - - communication- - in the appropriate instances.)

The Applicants have added new claims 5 and 6 to the Application. The Applicants respectfully submit that no new matter have been included with the new claims.

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REQUEST FOR ALLOWANCE

In view of the foregoing, Applicants submit that all pending claims in the application are patentable. Accordingly, reconsideration and allowance of this application is earnestly solicited. Should any issues remain unresolved, the Examiner is encouraged to telephone the undersigned at the number provided below.

Respectfully submitted,

Dated: _____April 7, 2003_____ By: _____

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